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DEPARTMENT OF NATURAL RESOURCES

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Executive Director

Division of Oil, Gas and Mining

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Division Director

February 9, 2011

Martin White
CMC Rock LLC
71 East Wadsworth Park Drive
Draper, Utah 84020

Subject: Third Review of Notice of Intention to Commence Large Mining Operations, CMC Rock LLC, Point West Mine, M/035/0042, Salt Lake County, Utah

Dear Mr. White:

The Division has completed a review of your Notice of Intention to Commence Large Mining Operations for the Point West Mine, located in Salt Lake County, Utah, which was received July 12, 2010. The second review of the Notice was sent out on December 27, 2010, and although they were incomplete, they are not duplicated here. Both the attached third review comments and the second review comments will need to be addressed before tentative approval may be granted.

The comments are listed under the applicable Minerals Rule heading; please format your response in a similar fashion. Please address only those items requested in the attached technical review by sending replacement pages of the original mining notice using redline and strikeout text. After the notice is determined technically complete and we are prepared to issue final approval, we will ask that you send us two clean copies of the complete and corrected plan. Upon final approval of the permit, we will return one copy stamped "approved" for your records.

The Division will suspend further review of the Notice of Intention until your response to this letter is received. If you have any questions about either review, please contact me (PBB) at 801-538-5261, Tom Munson (TM) at 801-538-5321, Wayne Western (WHW) at 801-538-5263, or Leslie Heppler (lah) at 801-538-5257. Thank you for your cooperation in completing this permitting action.

Sincerely,

Paul B. Baker
Minerals Program Manager

PBB:lah:eb

Attachment: Review

cc: Herriman City Planning Department

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**Third REVIEW OF NOTICE OF INTENTION
TO COMMENCE LARGE MINING OPERATIONS**

**CMC Rock LLC
Point West Mine
M/035/0042
February 8, 2011**

General Comments:

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
1	General	Submittal should be formatted to easily incorporate additional revisions and amendments.	lah	
2	General	Additional comments from the Division can be generated in the future based on submittals received in the future, every attempt should be made to submit a complete NOI the first time around.	lah	
3	General	Table of Contents –Type the numbers of the maps in the table of contents and note the location under the figure tab in the NOI. The maps are located under the figure tab, so the list of maps should be under the figure tab. (The figure tab is after the surety, and before the Appendix.)	lah	

R647-4-105 - Maps, Drawings & Photographs

General Map Comments

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
4	Page 4 Map	Previous comment : <i>Map does not indicate site location. Site location should be indicated by the boundaries shown on cover sheet.</i> Please remove this map from the NOI. The little circle does not correctly show the location of the Point West permit. Rather than using this map, the Division suggests that the text refer to a map showing the permit boundary.	lah	
5	Page 7 Item 3.11	The NOI says, “. . . no slope will be left steeper than the said requirement.” Please reword sentence to, “. . . no slope will be left steeper than 2H:1V.”	lah	
6	Page 7 Item 3.12	Post mining roads need to be defined before permit approval. Rewrite sentence and include the post mining roads on the maps.	lah	
7	Page 7 Item 3.15	The following comment was included in the Division’s second review, and the Division suggests addressing it in item 3.15 on page 7: “Please describe how sediment control will be constructed and phased in and out of the project during both the reclamation and construction phases. The check dams and on-stream sediment basins are good controls in conjunction with surface roughness of regraded surfaces to control sedimentation during reclamation. Ponds that will remain will need to be adequately sized and have demonstrated flow through capabilities. Please provide details in the reclamation plan that describes the final channel design.”	TM	

105.1 - Topographic base map, boundaries, pre-act disturbance

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
8	Cover Sheet	Previous comment : <i>Title block indicates "topographic base," but the base map is an air photo. Correct the title block.</i> Correct the title block to read "Aerial Base Map with Topographic Contours".	lah	
9	Cover Sheet	Previous comment : <i>Parcel lines are not correctly aligned on the base map. Correct the alignment.</i> If parcel lines are included on the map, the map should note where they are incorrect. It is clear that the parcel lines do not match many of the property boundaries or roads.	lah	
10	Cover Sheet And all other maps	Previous comment : <i>As shown – some of the haul roads to be improved are outside of the permit area. Haul roads need to be within the permit boundary. (Applies to all maps.)</i> Change all maps to reflect UDOT right of way for the Mountain View Corridor and include the proper changes to the CMC Haul roads.	lah	
11	Cover Sheet	Green CMC disturbance area boundary should reflect a minimum of 5 years of mining that is to be bonded for. This is not required by rule but is recommended so frequent changes are not need to the permit.	lah	
12	Cover Sheet	Show ALL existing mine permits and other areas that have been affected by mining operations, including Beef Hollow, T&M Holdings, Developments 1, and any others. Sheet 1 and Bonded Area sheet are to show the same disturbed area.	lah	
13	Cover Sheet	Please note a shaded area is shown on the northern property boundary, which notes possible future expansion. This "new" expansion area will have to have to be reviewed for impacts. It is best to include all possible future expansions under the permit	lah	
14	Sheet 1	Add disturbance for Permits that have been recently transferred to CMC.	alh	

105.2 - Surface facilities map

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
15	Process Schematic	Include all items on surety spreadsheet.	lah	

105.3 - Drawings or Cross Sections (slopes, roads, pads, etc.)

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
16	Sheet 4 -7	Finish grade line has been labeled as both "% grade" and "x:y slope" Please be consistent. Should be listed as "max %" or "max x:y" but not both on one line.	lah	
17	Sheet 4-7	This sheet says the final slopes are not to exceed 3H:1V, but this is different than what is written on page 7 Item 3.11.	lah	
18	Sheet 10	No roads are shown on sheet 10 – Final contours. Text notes that roads are to be left. Which is correct?	lah	
19	Geologic Map	Add scale to map	lah	

Third Review
Page 4 of 4
M/035/0042
January 25, 2011

110.2 - Roads, highwalls, slopes, drainages, pits, etc., reclaimed

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
20	Page 32 para 1	As written "all roads...will have to write and gain permission..." Please define which roads will be reclaimed and which roads will be left. If nothing has been submitted by the property owners, reclaim the area. When additional information is received from the landowners the plan can be amended. Each property owner is to request in writing the road that will access his property. The written request is to include a commitment to maintain the road until such time as it is reclaimed. All other roads will be ripped and seeded. The property owners' requests need to be included in the plan. Show the roads to be left on a map.	lah	

110.3 - Description of facilities to be left (post mining use)

Comm ent #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
21	Sheet 10	No roads are shown to be left	lah	

110.5 - Revegetation planting program

R647-4-113 – Surety

Comment #	Sheet/Page/ Map/Table #	Comments	Initials	Review Action
22	Bonded area Map	No roads are shown. Show all roads, so constant updating is not needed	lah	